



Entered on Docket
May 11, 2010

A handwritten signature in black ink, appearing to read "Linda B. Riegler".

Hon. Linda B. Riegler
United States Bankruptcy Judge

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Attorney for Secured Creditor,
HSBC Bank USA, National Association as Trustee for Wells Fargo Asset Securities
Corporation, Mortgage Pass-Through Certificates Series 2006-8, its assignees and/or successors
and the servicing agent WELLS FARGO BANK

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

| | |
|---------------------|----------------------------|
| In re: |) Case No.: 10-10880-lbr |
| |) |
| Thomas L. Witherby, |) Chapter 13 |
| Nida A. Witherby, |) |
| |) DATE: 04/28/10 |
| Debtors. |) TIME: 10:30 am |
| |) |
| |) ORDER TERMINATING |
| |) AUTOMATIC STAY |
| |) |

1 The Motion for Relief from Automatic Stay came on regularly for hearing at the date and
2 time set forth above before the United States Bankruptcy Court. Upon review of the Motion and
3 supporting evidence, and good cause appearing, the Court rules as follows:

4 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the automatic stay
5 provisions of 11 U.S.C. §362 be and are hereby terminated with respect to the interests of
6 Movant in the real property commonly known as 10674 Callington Way, Las Vegas, NV 89123.

7 Secured Creditor will provide not less than 7 days notice of the date, time, and location of
8 the currently scheduled foreclosure sale to the debtors or as otherwise provided by Nevada law.

9 Secured Creditor shall renote the Trustee's Notice of Sale.

10
11 IT IS SO ORDERED.

12
13
14 Submitted by:
15 McCarthy & Holthus, LLP

16 /s/Christopher K. Lezak
17 Christopher K. Lezak, Esq.
18 9510 West Sahara Avenue, Suite 110
19 Las Vegas, NV 89117
20 702-685-0329

21 Approved/Disapproved

22 Emailed 05/04/10 – no response received
23 George Haines, Esq.
24 1020 Garces Avenue
25 Las Vegas, NV 89101
26 702-880-5554

27 Approved/Disapproved

28 Emailed 05/04/10 – no response received
29 Rick A. Yarnall
701 Bridger Ave #820
Las Vegas, NV 89101
702-853-4500

ALTERNATIVE METHOD re: RULE 9021:

In accordance with LR 9021, counsel submitting this document certifies as follows (check one):

☐ The court has waived the requirement of approval under LR 9021.

☒ This is a Chapter 7 or 13 case, and either with the motion, or at the hearing, I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

☐ This is a Chapter 9, 11, or 15 case, and I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

☐ I certify that I have served a copy of this order with the motion, and no parties appeared or filed written objections.

Counsel appearing: George Haines- Emailed 05/04/10 – no response received

Unrepresented parties appearing: None

Trustee: Rick A. Yarnall - Emailed 05/04/10 – no response received

Submitted by:
McCarthy & Holthus, LLP

/s/ Christopher K. Lezak
Christopher K. Lezak, Esq.

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